

KASSON TOWNSHIP BOARD OF APPEALS BYLAWS

Section 1.0 AUTHORITY

- 1.1 The following rules of procedure are hereby adopted by the Board of Appeals of Kasson Township, hereafter referred to as the "board" to facilitate the performance of its duties as outlined in the "Michigan Planning Enabling Act", PA 33 of 2008, as amended; and PA 267 of 1976, as amended, the "Open Meetings Act."

Section 2.0 OFFICERS

- 2.1 Selection. At the first meeting held in the year in which a Petition(s) is considered, the board shall select from its membership a chairperson, a vice-chairperson, and a secretary. All officers are eligible for reelection. A township elected official cannot be chairperson.
- 2.2 Tenure. The chairperson, vice-chairperson, and secretary shall take office immediately following their selection and shall hold office for a term of two (2) years, or until a successor is selected and assumes office.
- 2.3 Duties. Board meetings are held at the call of the chairperson. The chairperson shall preside at all meetings, appoint committees, and perform such other duties as may be ordered by the board. The vice-chairperson shall act in the capacity of chairperson in his/her absence; and in the event the office of the chairperson becomes vacant, the vice-chairperson shall succeed to this office for the unexpired term and the board shall select a successor to the office of vice-chairperson for the unexpired term. The secretary shall be responsible for the following, unless determined otherwise: preparation of minutes, compilation of pertinent public records, delivering communications, petitions, reports, and related items of business of the board, issuing notices of public hearings, and performing such other duties as the board may determine. In the event the secretary is absent, the chairperson shall appoint a temporary secretary for such meeting.

Section 3.0 MINUTES

- 3.1 A public record shall be kept of board resolutions, transactions, findings, and determinations.
- 3.2 The secretary (or designee) shall be responsible for the minutes of each meeting and shall have them spread in suitable volumes.
- 3.3 Minutes shall be available for public inspection within eight (8) business days of any meeting.

Section 4.0 RECORDING SECRETARY

- 4.1 A recording secretary, if appointed, shall assume those duties of the secretary delegated by the board.
- 4.2 The recording secretary shall be appointed by the Township Board.

Section 5.0 MEETINGS AND HEARINGS

- 5.1 Time for Appeal. An appeal to the zoning board of appeals shall be taken within thirty (30) days from the effective date of the decision (i.e. the date the minutes effectuating the decision were approved, the date of the zoning administrator's written administrative decision, etc.) which is the subject of the appeal. The appeal shall be filed in writing with the officer from whom the appeal is taken and shall specify the grounds for the appeal.

- 5.2 Notices. Notice of public hearings shall be given by the secretary (or designee) of the board. The secretary (or designee) shall follow the notice requirements as established in PA 33 of 2008, as amended.
- 5.3 Public. All meetings, hearings, records, and accounts shall be open to the public.
- 5.4 Quorum. A majority of the total number of members shall constitute a quorum for the transaction of business and the taking of official action for all matters. All members have the right to vote. Whenever a quorum is not present at a meeting, those present may adjourn the meeting to another day.
- 5.5 Order of Business: Agenda. The chairperson (or designee) shall prepare an agenda for each meeting.
- 5.6 Motions. A motion shall be restated by the chairperson, or if requested, read back by the secretary or recording secretary before a vote is taken. The name of the maker and supporter of a motion shall be recorded.
- 5.7 Voting. An affirmative vote of the majority of those board members present for the conduct of business shall be required for the approval of any requested action or motion placed before the board. Voting shall ordinarily be voice vote; provided however that a roll call vote shall be required if requested by any board member or directed by the chairperson. All members of the board including the chairperson shall vote on all matters, but the chairperson shall vote last.
- 5.8 Conflict of Interest. Any member may be excused from voting only if that person has a bonafide conflict of interest as recognized by the majority of the remaining members to the board. Any member abstaining from a vote shall not participate in the discussion of that item.
- 5.9 Board Action. Action by the board on any matter on which a hearing is held shall not be taken until the hearing has been concluded. Board of Appeal decisions are final. The board shall maintain a public record of its proceedings on file with the township clerk.

Section 6.0 AMENDMENTS

- 6.1 These rules may be amended at any meeting or hearing by a two-thirds (2/3) vote of the members present.

Initial Adoption: December 4, 2000 with Amendments to August 28, 2012 & December 19, 2013.